IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3294 OF 2005

Sou. Akshata Anant Nigade ...Petitioner
vs.
Shri Anand Ganapati Nigade ....Respondents

M.R. Suryavanshi for the petitioner.
Amit Borkar for the Respondents.

CORAM: S.U. KAMDAR, J.

DATE : 19th November, 2005.

P.C. :

1. The present petition challenges the order dated 24.2.2005 passed by the IIIrd Additional District Judge, Kolhapur inter-alia granting permission to amend the Petition which was pending before him. The learned judge while granting the said amendment has come to the conclusion that amendment does not change the nature of cause of action and the inconvenience

caused to the petitioner can be compensated by cost and has awarded the cost of RS.750/-. In the light of the fact that it is now well settled that amendment application should be liberally considered and in view of my judgment in the case of **Lok Housing and Construction Ltd vs. Everest Industries Ltd reported in 2005 2 MSLJ 700** there is no substance in the petition. Petition dismissed. No order as to costs.

sd/-

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